

§ 135.401

- (3) Cause of the incident;
 - (4) Name or other identification of the vessel or offshore facility involved;
 - (5) Size and color of any slick or sheen and the direction of movement;
 - (6) Observed on scene weather conditions, including wind speed and direction, height and direction of seas, and any tidal or current influence present;
 - (7) Actions taken or contemplated to secure the source or contain and remove or otherwise control the discharged oil;
 - (8) Extent of any injuries or other damages incurred as a result of the incident;
 - (9) Observed damage to living natural resources; and
 - (10) Any other information deemed relevant by the reporting party or requested by the person receiving the notification.
- (b) The person giving notification of an incident must not delay notification to gather all required information and must provide any information not immediately available when it becomes known.

Subpart E—Access, Denial, and Detention

§ 135.401 Access to vessel, Certificates of Financial Responsibility.

(a) The owner, operator, master or agent of any vessel subject to the Act shall, upon request by any Coast Guard officer or petty officer, permit access to the vessel and produce for examination the Certificate of Financial Responsibility.

§ 135.403 Sanctions for failure to produce vessel Certificates of Financial Responsibility.

- (a) The Captain of the Port issues denial or detention orders to the owner, operator, agent, or master of any vessel that cannot show upon request a valid Certificate of Financial Responsibility issued under the Act.
- (b) A denial order forbids entry of any vessel subject to the Act to any port or place in the United States or to the navigable waters of the United States.
- (c) A detention order detains any vessel subject to the Act at the port or place in the United States from which

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it is about to depart for any other port or place in the United States.

(d) The Captain of the Port terminates a denial or detention order when the owner, operator, agent, or master of a vessel furnishes adequate evidence that the certification of financial responsibility requirements under the Act have been met.

§ 135.405 Appeal provisions.

- (a) The owner, operator, agent or master of a vessel issued a denial or detention order under this subpart may petition the District Commander in any manner to review that order.
- (b) Upon completion of review, the District Commander affirms, sets aside, or modifies the order.
- (c) Unless otherwise determined by the District Commander a denial or detention order remains in effect pending the outcome of any petition or appeal of that order.
- (d) The District Commander acts on all petitions or appeals within 10 days of receipt.
- (e) The decision of the District Commander is final agency action.

PART 136—OIL SPILL LIABILITY TRUST FUND; CLAIMS PROCEDURES; DESIGNATION OF SOURCE; AND ADVERTISEMENT

Subpart A—General

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- 136.1 Purpose and applicability.
 - 136.3 Information.
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Subpart B—General Procedure

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- 136.105 General requirements for a claim.
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Subpart C—Procedures for Particular Claims

REMOVAL COSTS

- 136.201 Authorized claimants.
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